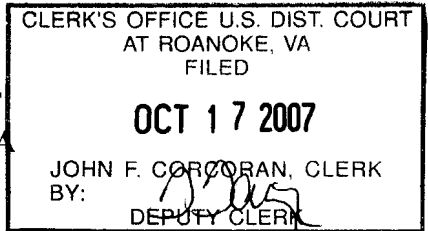


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
ROANOKE DIVISION



DANIEL CHRISTOPHER HERBERT,)
Petitioner,)

Civil Action No. 7:07CV00357

v.)

FINAL ORDER

GENE M. JOHNSON, VA DEPT. OF)
CORRECTIONS,)
Respondent.)

By: Hon. James C. Turk
Senior United States District Judge

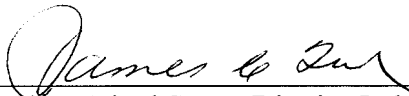
In accordance with the Memorandum Opinion entered this day, it is hereby

ORDERED

that the petition for writ of habeas corpus filed by Herbert shall be **DISMISSED** and **STRICKEN**
from the active docket of the court.

The Clerk is directed to send copies of this Order and the accompanying Memorandum
Opinion to Petitioner and counsel of record for Respondent, if known.

ENTER: This 17th day of October, 2007


Senior United States District Judge